REMARKS

This application has been carefully reviewed in light of the Office Action dated March 15, 2007. Claims 1 to 15 and 17 to 38 are in the application, with Claim 16 having been cancelled herein. Claims 1, 34 and 35 are independent. Reconsideration and further examination are respectfully requested.

The claims were rejected under 35 U.S.C. § 103(a) over a combination of U.S. Patent No. 5,218,455 (Kristy) in view of U.S. Patent No. 4,943,136 (Popoff) and U.S. Patent No. 6,393,206 (Yagi), with additional reliance on one or more other references for the rejections of certain dependent claims. In particular, the Office Action additionally relied on the following: U.S. Patent No. 6,031,976 (Koakutsu); U.S. Patent 5,764,870 (Manico); U.S. Patent 5,930,465 (Bellucco); U.S. Patent 6,289,416 (Fukushima); U.S. Patent No. 6,421,782 (Yanagisawa); "Inside Adobe Photoshop" (Bouton, et al); U.S. 6,085,195 (Hoyt); and U.S. Patent No. 5,949,411 (Doerr). Reconsideration and withdrawal of the rejections are respectfully requested.

Independent Claim 1 recites a method for authoring a plurality of digital image records, each digital image record corresponding to a separate customer order, in a digital image record authoring system including a dedicated computer having a computer processor. The method comprises a scanning step to transmit a plurality of digital images corresponding to a separate customer order over a first data path from a scanner to the computer processor, wherein the first data path includes one or more first high-speed image data interface buses, and a processing step to process the plurality of digital images by the computer processor and to combine the processed plurality of digital images into a record image. The processing step includes displaying a user interface that allows a user to select

images from the plurality of digital images, displaying a user interface that allows the user to adjust the selected images, and combining the adjusted images into the record image. The method also comprises a writing step to transmit the record image over a second data path from the computer processor to an image-recorder for recording onto a medium. The second data path includes one or more second high-speed image data interface buses, wherein each of the one or more second high-speed image data interface buses is separate from each of the one or more first high-speed image data interface buses. The scanning step is repeated, prior to completion of the writing step, to transmit a new plurality of images corresponding to a new customer order over the first data path, such that transfer of the new plurality of digital images over the first data path and transfer of the record image over the second data path occur simultaneously over separate paths.

Independent Claim 34 defines a method similar to Claim 1, and also specifies that the record image, which is passed from the dedicated computer to the image-recorder, is passed at a constant rate.

Independent Claim 35 is directed to a method with features that correspond generally to the method of Claim 1, but is more specifically directed to authoring a CD-ROM, and includes features such as an adjusting step to adjust each of the plurality of digital images which were scanned in from the scanner, and a generating step to generate a print index file including a thumbnail representation of each of the adjusted images, the print index file for printing by a printer.

The applied references are not seen to disclose or to suggest the features of independent Claims 1, 34, and 35, and in particular, are not seen to disclose or to suggest at least the features authoring a plurality of digital image records, each digital image record

corresponding to a separate customer order, in a digital image record authoring system comprising a scanning step to transmit a plurality of digital images corresponding to a separate customer order over a first data path from a scanner to a computer processor, and a processing step to process the plurality of digital images by the computer processor and to combine the processed plurality of digital images into a record image, wherein the processing step includes displaying a user interface that allows a user to select images from the plurality of digital images, displaying a user interface that allows the user to adjust the selected images, and combining the adjusted images into the record image.

While in a first embodiment Kristy may disclose a scanner 12 that digitizes images, a host processor 14 that encodes the images, and an optical compact disc recorder 18 that records the images, Kristy specifies "each image digitized by scanner 12 and encoded by host processor 14 is stored on the disc 'as is'". (column 4, lines 62 to 64 of Kristy)(emphasis added). Accordingly, Kristy's "as is" recording of image files is not seen to disclose or to suggest a processing step including displaying a user interface that allows a user to select images from the plurality of digital images, and displaying a user interface that allows the user to adjust the selected images.

On the other hand, in a second embodiment Kristy is seen to disclose that a customer can obtain a high-resolution printout of an image from a "previously prepared optical disc". (See, column 5, lines 16 to 40 of Kristy). Specifically, the optical disc is inserted into a reader 22, the customer adjusts a low-resolution image corresponding to a high-resolution image stored on the disc, and then the image is printed with the customer's adjustments. (Id.) However, Kristy's printout of an adjusted image is not seen to disclose or to suggest combining adjusted images into a record image.

Moreover, Applicants submit that any permissible combination of Kristy's first and second embodiments would not disclose or suggest the features of the present invention, particularly since any modification of Kristy's first embodiment to include user selection and adjustment of images from scanner 12, and combination of the adjusted images into a record image would be an impermissible modification, since it would render Kristy's first embodiment unsuitable for an intended purpose. Specifically, Kristy is seen to teach that recording the scanned images "as is" on the disc "facilitate[s] the use of each image file by a variety of output devices". (column 4, lines 58 to 59). Thus, the Kristy's recording of scanned images "as is" is seen to serve an intended purpose of Kristy's first embodiment to "provid[e] for the storage and retrieval of high resolution digitized color still images for playback to a variety of reproduction devices." (See, "Summary Of The Invention" at column 1, lines 52 to 55).

The remaining references, namely Popoff, Yagi, Koakutsu, Manico, Bellucco, Fukushima, Yanagisawa, Bouton, Hoyt and Doerr are not seen to cure the deficiencies of Kristy. Specifically, the remaining references are not seen to disclose or to suggest anything that, when combined with Kristy, would have resulted in the presently claimed invention. Accordingly, independent Claims 1, 34 and 35 are believed to be allowable.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

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